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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/728,097	12/01/2000	C. Kevin McIntyre	10001448-1	4539

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EXAMINER
NGUYEN, MIKE

ART UNIT	PAPER NUMBER
2182	5

DATE MAILED: 08/11/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/728,097	MCINTYRE, C. KEVIN	
	Examiner	Art Unit	
	Mike Nguyen	2182	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *02 June 2003* .

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-14* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-14* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Notices & Remarks

1. Applicant's amendment 06/02/2003 in response to Examiner's Office Action has been reviewed but they are not deemed to be persuasive. The following rejections now apply

2. Claims 1-14 are pending for the examination.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 3-5 and 8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 3-5 and 8 recite the limitation "the MFD". There is insufficient antecedent basis for this limitation in the claims.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C.

122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Lin et al. (U.S. Pat. No. 6,421,748 B1).

5. As to claim 1, Lin teaches a multiple-original-output ("Mopying") control system for use with a Mopy-enabled multifunction device (MFD) (see figure 1), the system comprising:

a source-selection determiner configured to determine a source selected for a Mopy in a Mopy job from multiple sources on the MFD (see column 3 lines 4-8);

a destination-selection determiner configured to determine a destination selected for a Mopy in a Mopy job from multiple destinations on the MFD (see column 2 lines 61-64);

a Mopy-job formatter configured to format a Mopy job that includes source-selecting directions for at least one Mopy in the job and destination-selecting directions for at least one Mopy in the job (see figure 1 element 103 and column 3 lines 9-25);

a Mopy-job transmitter configured to transmit the Mopy job to a MFD (see figure 1 element 108 and column 4 lines 12-19).

6. As to claim 2, Lin teaches a Mopy-enabled multifunction device (MFD) (see figure 1) comprising:

a printing engine (see column 4 lines 25-30 wherein since output device can be a printer so the MFD must comprise the printing engine);

multiple sources (see column 3 lines 4-8 wherein since the source-selection determiner can select any desired property for output such as paper size, resolution, number of copies etc. so the MFD must comprise multiple sources);

multiple destinations (see column 2 lines 61-64 wherein the destination-selection determiner provides an interface for displaying all available output devices so the MFD must comprise multiple destinations);

a receiver configured to receive a Mopy job from a multiple-original-output ("Mopying") control system for use with the MFD (see figure 1 element 108 and column 4 lines 12-19), the system comprising:

a source-selection determiner configured to determine a source selected for a Mopy in a Mopy job from multiple sources on the MFD (see column 3 lines 4-8);

a destination-selection determiner configured to determine a destination selected for a Mopy in a Mopy job from multiple destinations on the MFD (see column 2 lines 61-64);

a Mopy-job formatter configured to format a Mopy job that includes source-selecting directions for at least one Mopy in the job and destination-selecting directions for at least one Mopy in the job (see figure 1 element 103 and column 3 lines 9-25);

a Mopy-job transmitter configured to transmit the Mopy job to a MFD (see figure 1 element 108 and column 4 lines 12-19).

7. As to claim 3, Lin teaches a printer driver comprising a multiple-original-output ("Mopying") control system for use with the MFD (see column 2 lines 57-67 and column 3 lines 1-8), the system comprising:

a source-selection determiner configured to determine a source selected for a Mopy in a Mopy job from multiple sources on the MFD (see column 3 lines 4-8);

a destination-selection determiner configured to determine a destination selected for a Mopy in a Mopy job from multiple destinations on the MFD (see column 2 lines 61-64);

a Mopy-job formatter configured to format a Mopy job that includes source-selecting directions for at least one Mopy in the job and destination-selecting directions for at least one Mopy in the job (see figure 1 element 103 and column 3 lines 9-25);

a Mopy-job transmitter configured to transmit the Mopy job to a MFD (see figure 1 element 108 and column 4 lines 12-19).

8. As to claim 4, Lin teaches an application comprising a multiple-original-output ("Mopying") control system for use with the MFD (see column 2 lines 57-61), the system comprising:

a source-selection determiner configured to determine a source selected for a Mopy in a Mopy job from multiple sources on the MFD (see column 3 lines 4-8);

a destination-selection determiner configured to determine a destination selected for a Mopy in a Mopy job from multiple destinations on the MFD (see column 2 lines 61-64);

a Mopy-job formatter configured to format a Mopy job that includes source-selecting directions for at least one Mopy in the job and destination-selecting directions for at least one Mopy in the job (see figure 1 element 103 and column 3 lines 9-25);

a Mopy-job transmitter configured to transmit the Mopy job to a MFD (see figure 1 element 108 and column 4 lines 12-19).

9. As to claim 5, Lin teaches an operating system comprising a multiple-original-output ("Mopying") control system for use with the MFD (since the Mopying control system is a local host computer (figure 1) so it is inherently the local host computer having an operating system), the system comprising:

a source-selection determiner configured to determine a source selected for a Mopy in a

Mopy job from multiple sources on the MFD (see column 3 lines 4-8);

a destination-selection determiner configured to determine a destination selected for a Mopy in a Mopy job from multiple destinations on the MFD (see column 2 lines 61-64);

a Mopy-job formatter configured to format a Mopy job that includes source-selecting directions for at least one Mopy in the job and destination-selecting directions for at least one Mopy in the job (see figure 1 element 103 and column 3 lines 9-25);

a Mopy-job transmitter configured to transmit the Mopy job to a MFD (see figure 1 element 108 and column 4 lines 12-19).

10. As to claim 6, Lin teaches a method facilitating multiple-original-output ("Mopying") control of a Mopy-enabled multifunction device (MFD) (see figure 1), the method comprising:

specifying a source for a Mopy in a Mopy job from multiple sources on the MFD (see column 3 lines 4-8);

specifying a destination for a Mopy in a Mopy job from multiple destinations on the MFD (see column 2 lines 61-64).

11. As to claim 7, Lin teaches a method as recited in claim 6, further comprising:

formatting a Mopy job, such job includes source-selecting directions for at least one Mopy in the job and destination-selecting directions for at least one Mopy in the job (see figure 1 element 103 and column 3 lines 9-25);

transmitting the Mopy job to the MFD (see figure 1 element 108 and column 4 lines 12-19).

12. As to claim 8, Lin teaches a computer-readable medium having computer-executable instruction that, when executed by a computer (see figure 1 elements 106, 104), performs a method comprising:

specifying a source for a Mopy in a Mopy job from multiple sources on the MFD (see column 3 lines 4-8);

specifying a destination for a Mopy in a Mopy job from multiple destinations on the MFD (see column 2 lines 61-64).

13. As to claim 9, Lin teaches a multiple-original-output ("Mopying") control system for use with a Mopy-enabled multifunction device (MFD) (see figure 1), the system comprising:

a source-selection specifier configured to select a source for each Mopy in a Mopy job from multiple sources on the MFD (see column 3 lines 4-8);

a destination-selection specifier configured to select a destination for each Mopy in a Mopy job from multiple destinations on the MFD (see column 2 lines 61-64).

14. As to claim 10, Lin teaches a system as recited claim 9, further comprising:

a Mopy-job formatter configured to format a Mopy job that includes source-selecting directions for at least one Mopy in the job and destination-selecting directions for at least one Mopy in the job (see figure 1 element 103 and column 3 lines 9-25);

a Mopy-job transmitter configured to transmit the Mopy job to the MFD (see figure 1 element 108 and column 4 lines 12-19).

15. As to claim 11, Lin teaches a Mopy-enabled multifunction device (MFD) (see figure 1) comprising:

a printing engine (see column 4 lines 25-30 wherein since output device can be a printer

so the MFD must comprise the printing engine);

multiple sources (see column 3 lines 4-8 wherein since the source-selection determiner can select any desired property for output such as paper size, resolution, number of copies etc. so the MFD must comprise multiple sources);

multiple destinations (see column 2 lines 61-64 wherein the destination-selection determiner provides an interface for displaying all available output devices so the MFD must comprise multiple destinations);

a receiver configured to receive a Mopy job from a multiple-original-output ("Mopying") control system for use with a MFD (see figure 1 element 108 and column 4 lines 12-19), the system comprising:

a source-selection specifier configured to select a source selected for each Mopy in a Mopy job from multiple sources on the MFD (see column 3 lines 4-8);

a destination-selection specifier configured to select a destination selected for each Mopy in a Mopy job from multiple destinations on the MFD (see column 2 lines 61-64);

16. As to claim 12, Lin teaches a printer driver comprising a multiple-original-output ("Mopying") control system for use with the MFD (see column 2 lines 57-67 and column 3 lines 1-8), the system comprising:

a source-selection specifier configured to select a source for each Mopy in a Mopy job from multiple sources on the MFD (see column 3 lines 4-8);

a destination-selection specifier configured to select a destination for each Mopy in a Mopy job from multiple destinations on the MFD (see column 2 lines 61-64);

17. As to claim 13, Lin teaches an application comprising a multiple-original-output ("Mopying") control system for use with a Mopy-enabled multifunction device (MFD) (see column 2 lines 57-61), the system comprising:

a source-selection specifier configured to select a source for each Mopy in a Mopy job from multiple sources on the MFD (see column 3 lines 4-8);

a destination-selection specifier configured to select a destination for each Mopy in a Mopy job from multiple destinations on the MFD (see column 2 lines 61-64);

18. As to claim 14, Lin teaches an operating system comprising a multiple-original-output ("Mopying") control system for use with the MFD (since the Mopying control system is a local host computer (figure 1) so it is inherently the local host computer having an operating system), the system comprising:

a source-selection specifier configured to select a source for each Mopy in a Mopy job from multiple sources on the MFD (see column 3 lines 4-8);

a destination-selection specifier configured to select a destination selected for each Mopy in a Mopy job from multiple destinations on the MFD (see column 2 lines 61-64);

Response to Amendment

19. In response to the applicant's arguments that "there is nothing disclosed in Lin indicating that a selection of a document property is equivalent to selection of source amongst multiple sources. With Lin, the user is incapable of actually selecting a single source, it never discloses of the capability of selecting from multiple sources". Examiner disagrees, column 3 lines 4-8 clearly indicates that the user can invoke the listing and selecting interface 102 to select any desired property for the document output from multiple sources.

Conclusion

20. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

21. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mike Nguyen whose telephone number is (703) 305-5040 or e-mail is mike.nguyen@uspto.gov. The examiner can normally be reached on Monday through Friday from 8:00 AM to 5:00 PM.

The appropriate fax number for the organization where this application or proceeding is assigned is (703) 746-7240.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Jeffrey Gaffin, can be reached on (703) 308-3301.

Any inquiry of a general nature or relating to the status of this application should be directed to the group receptionist whose telephone number is (703) 305-3900.

JEFFREY GAFFIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Mike Nguyen
Patent Examiner
Group Art Unit 2182